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William Kinnaman, Jr.
IBM Corporation
Intellectual Property Law Department
2455 South Road, M/S P386
Poughkeepsie, NY 12601

EXAMINER

GELAGAY, SHEWAYE

ART UNIT	PAPER NUMBER
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2133

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/982,203

Applicant(s)

BREITER ET AL.

Examiner

Shewaye Gelagay

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 May 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-31 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-5 and 7-31 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to Applicant's amendment filed on May 26, 2005. Claims 1, 11, 13, 14, 18 and 28 have been amended. Claim 6 is cancelled. New claims 30-31 are added. Claims 1-5 and 7-31 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-5 and 7-29 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 30-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Heaven et al. Heaven et al. United States Publication Number 2002/0188854.

As per claims 30 and 31:

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Heaven et al. disclose a method of controlling the rendering of digital content to which a user has been granted access by a provider, comprising the steps of:

storing said digital content on a storage device accessible to a user; (Figure 1, item 14)

storing said access rights to said digital content in a digital secure repository that is associated with said user independently of a particular independently of a particular user device; (Figure 1, item 32; Page 1, paragraph 8) and

controlling rendering of said digital content on a rendering device in accordance with the access rights to said digital content stored in said digital secure repository.

(Page 1, paragraph 8; ...verify if the individual is the authorized user ... permit the encrypted media file)

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a); the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

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consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1-5, 7-13 and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto et al. United States Letters Patent Number 6,732,106 in view of Fung et al. United States Publication Number 2001/0052077 and in view of Heaven et al. United States Publication Number 2002/0188854.

As per claim 1:

Okamoto et al. teach a framework for controlling access rights to digital content in a distributed information system comprising:

first storage means for storing a reference to a user registered in said framework; (Col. 4, lines 65-67 and Col. 10, lines 14-15)

second storage means for storing a reference to digital content registered for said user; (Col. 6, lines 16-18) and,

Okamoto et al. do not explicitly disclose third storage means for storing a reference to a digital secure repository registered for said user, the digital secure repository containing storage means for storing a unique identifier and a reference to said digital content.

Fung et al. in analogous art, however, disclose storage means for storing a reference to a digital secure repository registered for said user, the digital secure repository containing storage means for storing a unique identifier and a reference to said digital content. (Page 1, paragraph 8; Page 3, paragraph 36; "digital secure repository" is interpreted as "universal mobile ID": -the interpretation is given based on

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the similarity of the functionality of the "digital secure repository" and the "universal mobile ID")

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the device disclosed by Okamoto et al. to include storage means for storing a reference to a digital secure repository registered for said user, the digital secure repository containing storage means for storing a unique identifier and a reference to said digital content. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Fung et al. (Page 5, paragraph 7) in order to prevent an authorized user from transferring to non-authorized users a key or other embodiments of a right that would allow the non-authorized users to access the for-pay content.

Both references do not explicitly disclose a digital secure repository being associated with said user independently of a particular user device and storing access rights to said digital content granted to said user by a provider.

Heaven et al. in analogous art, however discloses a digital secure repository being associated with said user independently of a particular user device and storing access rights to said digital content granted to said user by a provider. (Page 1, paragraphs 3 and 8)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the device disclosed by Okamoto et al. and Fung et al. to include a digital secure repository being associated with said user independently of a particular user device and storing access rights to said digital content

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granted to said user by a provider. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Heaven et al. (Page 1, paragraph 3) in order to provide a digital right management system that does not restrict the user to a particular machine.

As per claim 2:

Okamoto et al., Fung et al. and Heaven et al. teach all the subject matter as discussed above. In addition, Okamoto et al. further disclose a framework comprising: fourth storage means for storing a reference to a rendering device registered for said user. (Col. 4, lines 60-65)

As per claim 3:

Okamoto et al., Fung et al. and Heaven et al. teach all the subject matter as discussed above. In addition, Fung et al. further disclose a framework comprising: a communication link for establishing communication to one or more of the set of said secure repository and said rendering device. (Page 1, paragraph 8, ...each client is associated with a universal mobile ID...)

As per claim 4:

Okamoto et al., Fung et al. and Heaven et al. teach all the subject matter as discussed above. In addition, Fung et al. further disclose a framework wherein said secure repository further comprises storage means for storing a digital key for decrypting said digital content. (Page 4, paragraph 53 and Page 5, paragraph 54)

As per claim 5:

Okamoto et al., Fung et al. and Heaven et al. teach all the subject matter as discussed above. In addition, Fung et al. further disclose a framework wherein said secure repository further comprises storage means for storing a reference to a rendering device. (Page 1, paragraph 8)

As per claim 7:

Okamoto et al., Fung et al. and Heaven et al. teach all the subject matter as discussed above. In addition, Fung et al. further disclose a framework wherein said secure repository further comprises storage means for storing a reference to said user. (Page 1, paragraph 8)

As per claim 8:

Okamoto et al., Fung et al. and Heaven et al. teach all the subject matter as discussed above. In addition, Fung et al. further disclose a framework wherein said secure repository further comprises a communication link for establishing communication to one or more of the set of said framework and said rendering device. (Page 1, paragraph 8; ...each client is associated with a universal mobile ID... ; Page 2, paragraph 15)

As per claim 9:

Okamoto et al., Fung et al. and Heaven et al. teach all the subject matter as discussed above. In addition, Okamoto et al. further disclose a framework wherein the framework is realized as a set of web applications forming an Internet web site. (Col. 9, lines 42-43 and Col. 11, lines 16-18)

As per claim 10:

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Okamoto et al., Fung et al. and Heaven et al. teach all the subject matter as discussed above. In addition, Okamoto et al. further disclose an Internet web site offering a framework for controlling access rights to digital content in a distributed information system. (Col. 9, lines 44-47)

As per claims 11 and 17:

Okamoto et al. teach a method for controlling access rights to digital content in a distributed information system comprising the steps of:

registering a user with a framework for controlling access rights to digital content in said distributed information system; (Col. 12, lines 42-46)

registering digital content for said user. (Col. 13, lines 38-41)

Okamoto et al. do not explicitly disclose registering a digital secure repository registered for said user.

Fung et al. in analogous art, however, disclose registering a digital secure repository registered for said user. (Page 2, Paragraph 15)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the device disclosed by Okamoto et al. to include storage means for storing a reference to a digital secure repository registered for said user, the digital secure repository containing storage means for storing a unique identifier and a reference to said digital content. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Fung et al. (Page 5, paragraph 7) in order to prevent an

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authorized user from transferring to non-authorized users a key or other embodiments of a right that would allow the non-authorized users to access the for-pay content.

Both references do not explicitly disclose a digital secure repository being associated with said user independently of a particular user device and storing access rights to said digital content granted to said user by a provider.

Heaven et al. in analogous art, however discloses a digital secure repository being associated with said user independently of a particular user device and storing access rights to said digital content granted to said user by a provider. (Page 1, paragraphs 3 and 8)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the device disclosed by Okamoto et al. and Fung et al. to include a digital secure repository being associated with said user independently of a particular user device and storing access rights to said digital content granted to said user by a provider. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Heaven et al. (Page 1, paragraph 3) in order to provide a digital right management system that does not restrict the user to a particular machine.

As per claim 12:

Okamoto et al., Fung et al. and Heaven et al. teach all the subject matter as discussed above. In addition, Okamoto et al. further disclose a method wherein registering a user further comprises the steps of: storing a reference to said user. (Col. 12, lines 65-67)

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Fung et al. further disclose a method wherein registering a user further comprises the steps of:

receiving a message from said user comprising a reference to said digital secure repository; (Page 2, paragraph 15; ...a user accesses server content by first issuing a request to the server along with his UMID.)

validating said reference to said digital secure repository; (Page 2, paragraph 15)

As per claim 13:

Okamoto et al., Fung et al. and Heaven et al. teach all the subject matter as discussed above. In addition, Okamoto et al. further disclose a method wherein registering a digital secure repository further comprises the steps of:

storing a reference to said issued digital secure repository and sending it to the user. (Col. 17, lines 14-15)

Fung et al. further disclose a method wherein registering a digital secure repository further comprises the steps of:

receiving a message from said user comprising credentials of the user; (Page 4, paragraph 45)

validating said credentials; and (Page 4, paragraph 45)

if the credentials are valid, issuing a new digital secure repository; (Page 4, paragraph 45) and

As per claim 15:

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Okamoto et al., Fung et al. and Heaven et al. teach all the subject matter as discussed above. In addition, Okamoto et al. further disclose a method comprising the step of registering a rendering device for said user. (Col. 10, lines 15-17)

As per claim 16:

Okamoto et al., Fung et al. and Heaven et al. teach all the subject matter as discussed above. In addition, Okamoto et al. further disclose a method wherein registering a rendering device further comprises the steps of:

receiving a message from said user comprising credentials of the user and a reference to said rendering device to be registered; (Col. 12, lines 6-8 and Col. 4, lines 62-65)

validating said credentials; (Col. 17, lines 54-56)

if the credentials are valid, storing the reference of the rendering device associated with said user. (Col. 10, lines 15-17)

7. Claims 14 and 18-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto et al. United States Letters Patent Number 6,732,106 in view of Fung et al. United States Publication Number 2001/0052077 and in view of Heaven et al. United States Publication Number 2002/0188854 and further in view of Olson et al. United States Publication Number US 2002/0003878.

As per claim 14:

Okamoto et al., Fung et al. and Heaven et al. teach all the subject matter as discussed above. In addition, Fung et al. further disclose a method wherein registering digital content further comprises the steps of:

receiving a message from said user comprising an order request and a reference to the digital secure repository registered for said user; (Page 2, paragraph 15; ...a user accesses server content by first issuing a request to the server along with his UMID.)

validating said reference; and (Page 2, paragraph 15)

if the reference is valid, performing purchase formalities; (Page 2, paragraph 15)

returning the encrypted document encryption key to the user and registering the purchased digital content for said user. (Page 2, paragraph 15)

Neither of the references, however, explicitly disclose encrypting the document encryption key associated with the requested digital content with the public key associated with said digital secure repository.

Olsen et al. in analogous art, however, disclose encrypting the document encryption key associated with the requested digital content with the public key associated with said digital secure repository. (Page 4, paragraph 54; ...a public key system is used to cipher the video decryption keys, ...)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the device disclosed by Okamoto et al., Fung et al. and Heaven et al. to include encrypting the document encryption key associated with the requested digital content with the public key associated with said digital secure repository. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Olsen et al. (Page 5, paragraph 55) in order to protect the keys during transmission from Content Distribution Portal to the Rendering Device.

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As per claims 18 and 25:

Okamoto et al. and Fung et al. all the subject matter as discussed above. In addition Okamoto et al. further teach a method for rendering digital content on a rendering device comprising the steps of:

receiving a request for rendering digital content in a predetermined form;(Col.6 , lines 25-27)

reading information about access rights granted; (Col. 6, lines 28-35)

decrypting the document encryption key with the private key associated with said rendering device; (Col. 3, lines 57-58)

decrypting said digital content with said document encryption key; and rendering said digital content in the requested form. (Col. 2, lines 4-5 and Col. 3, line 61)

Both references do not explicitly disclose a digital secure repository being associated with said user independently of a particular user device and storing access rights to said digital content granted to said user by a provider.

Heaven et al. in analogous art, however discloses a digital secure repository being associated with said user independently of a particular user device and storing access rights to said digital content granted to said user by a provider. (Page 1, paragraphs 3 and 8)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the device disclosed by Okamoto et al. and Fung et al. to include a digital secure repository being associated with said user independently of a particular user device and storing access rights to said digital content

granted to said user by a provider. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Heaven et al. (Page 1, paragraph 3) in order to provide a digital right management system that does not restrict the user to a particular machine.

Neither of the references, however, explicitly disclose getting a document encryption key encrypted with the public key associated with said rendering device.

Olsen et al. in analogous art, however, disclose getting a document encryption key encrypted with the public key associated with said rendering device. (Page 4, paragraph 54; ... a public key system is used to cipher the video decryption keys, ...)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the device disclosed by Okamoto et al., Fung et al. and Heaven et al. to include encrypting the document encryption key associated with the requested digital content with the public key associated with said digital secure repository. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Olsen et al. (Page 5, paragraph 55) in order to protect the keys during transmission from Content Distribution Portal to the Rendering Device.

As per claim 19:

Okamoto et al., Fung et al., Heaven et al. and Olsen et al. teach all the subject matter as discussed above. In addition, Okamoto et al. further disclose a method wherein the step of getting a document encryption key further comprises the steps:

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determining from a storage device associated with said rendering device whether or not the digital content is bound to said rendering device and if yes receiving said document encryption key from said storage device. (Col. 6, lines 48 and lines 56-57)

As per claim 20:

Okamoto et al., Fung et al., Heaven et al. and Olsen et al. teach all the subject matter as discussed above. In addition, Fung et al. further disclose a method wherein the step of getting a document encryption key further comprises the step of receiving said document encryption key from a digital secure repository. (Page 2, paragraph 15;... The user then decrypts the encrypted content using both his secret PIN and the content-specific key...)

As per claim 21:

Okamoto et al., Fung et al., Heaven et al. and Olsen et al. teach all the subject matter as discussed above. In addition, Fung et al. further disclose a method wherein the step of reading from a digital secure repository further comprises the step of communicating with said digital secure repository over a communication link. (Page 1, paragraph 8, ... each client is associated with a universal mobile ID...)

As per claim 22:

Okamoto et al., Fung et al., Heaven et al. and Olsen et al. teach all the subject matter as discussed above. In addition, Fung et al. further disclose a method wherein the step of reading from a digital secure repository further comprises the step of retrieving said digital secure repository from a storage device also keeping said digital content. (Page 4, paragraph 46)

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As per claim 23:

Okamoto et al., Fung et al., Heaven et al. and Olsen et al. teach all the subject matter as discussed above. In addition, Okamoto et al. further disclose a method wherein the step of decrypting said digital content further comprises the step of retrieving said digital content from a storage device. (Col. 2, lines 4-5 and Col. 3, line 61)

As per claim 24:

Okamoto et al., Fung et al., Heaven et al. and Olsen et al. teach all the subject matter as discussed above. In addition, Okamoto et al. further disclose a method wherein the step of decrypting said digital content further comprises the step of retrieving said digital content from over a communication link as downloaded or streaming data. (Col. 9, lines 50-58)

As per claim 26 and 27:

Okamoto et al. a method for binding digital content to a rendering device, the method comprising the following steps:

if binding is allowed according to the rights stored in said digital secure repository, receiving the respective document encryption key encrypted with the rendering device's public key, and storing the encrypted key for later decrypting the respective digital content. (Col. 6, lines 49-51 and Col. 6, line 55)

Okamoto et al. further disclose a communication means between the distribution server and the user device and checking distribution condition by comparing the number of digital data; of which the same consumer registered in the history data is authorized

to receive the distribution, and the distribution condition information. (Col. 6, lines 28-35). In addition, Okamoto et al. teaches encrypting means for encrypting the decryption key using a key that is created based on the media ID received from the user device.

Okamoto et al. do not explicitly disclose establishing a connection from said rendering device to a digital secure repository; requesting from said digital secure repository digital content rights for specified digital content; and document encryption key encrypted with the rendering device's public key.

Fung et al. in analogous art, however, disclose establishing a connection from said rendering device to a digital secure repository; (Page 1, paragraph 8, ...each client is associated with a universal mobile ID...)

requesting from said digital secure repository access rights for specified digital content. (Page 2, paragraph 15)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the device disclosed by Okamoto et al. to include establishing a connection from said rendering device to a digital secure repository; requesting from said digital secure repository digital content rights for specified digital content. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Fung et al. (Page 2, paragraph 14) in order to assemble the digital material which is send to the client device by using the access information which is contained in the Universal Mobile ID.

Both references do not explicitly disclose a digital secure repository being associated with said user independently of a particular user device and storing access rights to said digital content granted to said user by a provider.

Heaven et al. in analogous art, however discloses a digital secure repository being associated with said user independently of a particular user device and storing access rights to said digital content granted to said user by a provider. (Page 1, paragraphs 3 and 8)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the device disclosed by Okamoto et al. and Fung et al. to include a digital secure repository being associated with said user independently of a particular user device and storing access rights to said digital content granted to said user by a provider. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Heaven et al. (Page 1, paragraph 3) in order to provide a digital right management system that does not restrict the user to a particular machine.

Neither of the references, however, explicitly disclose document encryption key encrypted with the public key associated with said rendering device.

Olsen et al. in analogous art, however, disclose document encryption key encrypted with the public key associated with said rendering device. (Page 4, paragraph 54; ...a public key system is used to cipher the video decryption keys, ...)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the device disclosed by Okamoto et al.,

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Fung et al. and Heaven et al. to include encrypting document encryption key associated with the requested digital content with the public key associated with said digital secure repository. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Olsen et al. (Page 5, paragraph 55) in order to protect the keys during transmission from Content Distribution Portal to the Rendering Device.

As per claims 28 and 29:

Okamoto et al. teach a method for storing digital content from a rendering device onto a storage device, the method comprising the following steps:

if storing is allowed according to the rights stored in said digital secure repository, receiving the respective document encryption key encrypted with the respective public key of all rendering devices registered in said digital secure repository, and storing the encrypted keys together with said encrypted digital content on said storage device.

(Col. 3, lines 64-67 and Col. 6, lines 49-56 Col. 7, lines 23-34)

Okamoto et al. further disclose a communication means between the distribution server and the user device and checking distribution condition by comparing the number of digital data; of which the same consumer registered in the history data is authorized to receive the distribution, and the distribution condition information. (Col. 6, lines 28-35). In addition, Okamoto et al. teaches encrypting means for encrypting the decryption key using a key that is created based on the media ID received from the user device.

Okamoto et al. do not explicitly disclose establishing a connection from said rendering device to a digital secure repository; requesting from said digital secure

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repository digital content rights for specified digital content; and document encryption key encrypted with the respective public key of all rendering devices.

Fung et al. in analogous art, however, disclose establishing a connection from said rendering device to a digital secure repository; (Page 1, paragraph 8, ...each client is associated with a universal mobile ID...)

requesting from said digital secure repository digital content rights for specified digital content. (Page 2, paragraph 15)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the device disclosed by Okamoto et al. to include establishing a connection from said rendering device to a digital secure repository; requesting from said digital secure repository digital content rights for specified digital content. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Fung et al. (Page 2, paragraph 14) in order to assemble the digital material which is send to the client device by using the access information which is contained in the Universal Mobile ID.

Both references do not explicitly disclose a digital secure repository being associated with said user independently of a particular user device and storing access rights to said digital content granted to said user by a provider.

Heaven et al. in analogous art, however discloses a digital secure repository being associated with said user independently of a particular user device and storing

access rights to said digital content granted to said user by a provider. (Page 1, paragraphs 3 and 8)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the device disclosed by Okamoto et al. and Fung et al. to include a digital secure repository being associated with said user independently of a particular user device and storing access rights to said digital content granted to said user by a provider. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Heaven et al. (Page 1, paragraph 3) in order to provide a digital right management system that does not restrict the user to a particular machine.

Neither of the references, however, explicitly disclose document encryption key encrypted with the respective public key of all rendering devices.

Olsen et al. in analogous art, however, disclose document encryption key encrypted with the respective public key of all rendering devices. (Page 4, paragraph 54; ...a public key system is used to cipher the video decryption keys, ...)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the device disclosed by Okamoto et al., Fung et al. and Heaven et al. to include encrypting document encryption key associated with the requested digital content with the public key associated with said digital secure repository. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Olsen et

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al. (Page 5, paragraph 55) in order to protect the keys during transmission from Content Distribution Portal to the Rendering Device.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shewaye Gelagay whose telephone number is 571-272-4219. The examiner can normally be reached on 8:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on 571-272-3819. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shewaye Gelagay
08/19/05


CHRISTINE T. TU
Primary Examiner